

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

PAULINE MONTGOMERY,

Plaintiff,

v.

MADERA DEPT. OF CORRECTIONS, et  
al.,

Defendants.

No. 1:23-cv-00919-JLT-SAB (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
ACTION

(Doc. 21)

Plaintiff is proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. The magistrate judge found Plaintiff failed to obey court orders and failed to prosecute the action after he failed to respond to the Court’s screening order in any way, including by filing an amended complaint to cure the pleading defects identified by the Court. (Doc. 21.) Therefore, the magistrate judge recommended the action be dismissed. (*Id.* at 8.)

The Court served the Findings and Recommendations on Plaintiff and notified him that any objections were due within 14 days. (Doc. 21 at 8.) The Court advised him that the “[f]ailure to file objections within the specified time may result in waiver of rights on appeal.” (*Id.* at 9, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did not file objections, and the time to do so has passed.

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1 According to 28 U.S.C. § 636(b)(1)(C), this Court performed a *de novo* review of this  
2 case. Having carefully reviewed the matter, the Court concludes the Findings and  
3 Recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 4 1. The Findings and Recommendations issued on March 11, 2024 (Doc. 21) are  
5 **ADOPTED** in full.
- 6 2. This action is **DISMISSED** without prejudice.
- 7 3. The Clerk of Court is directed to close this case.

8  
9 IT IS SO ORDERED.

10 Dated: **April 5, 2024**

  
UNITED STATES DISTRICT JUDGE